

JUN 03 2008

Holloway et al
Serial No.: 10/537,340
*Page 10 of 13***REMARKS/ARGUMENTS**

In response to the Non-Final Rejection mailed July 27, 2007, applicants have amended claims 38, 41, 46, 50 and 51, and present the following remarks.

Applicants wish to thank the examiner for indicating claim 37 to be allowable and claims 45-49, 52-66, 72 and 73 would be allowable if placed in independent form.

Please change the correspondence address in accordance with the request filed December 27, 2007. A copy of the change in correspondence address is attached.

Claims 38, 39 and 50 have been rejected under 35 USC 102(b) as being anticipated by Tuefel et al. The examiner contends that the drawer (10) constitutes a containing means, the tub (140) constitutes a sliding means and the housing (13) constitutes the storing means. This rejection is respectfully traversed.

The claims require the sliding means to be removeably secured in the containing means by a lock. The means for securing the tub in the drawer in Tuefel et al is by a bolt (156). This is not a lock and is not readily removable. Also, a "bolt" is not a "different keyed lock" for each sliding means as is claimed.

Furthermore, the claims require a different locking mechanism for securing the containing means to the storing means for the keyed lock mechanism for securing the sliding means to the containing means. Tuefel et al is deficient in such a teaching. The examiner apparently appreciates the difference, as claim 40, which recites the separate locking mechanism specifically, was not rejected.

Still further, it should be emphasized that the invention is conceptually unrelated to that in Tuefel et al. The containing means in the present invention generally encloses the sliding means so that having a lock operated by a key is meaningful. By contrast, in Tuefel et al has a tub in a drawer as corresponding structures. In such a situation, it is not meaningful to have a lock and key because once the drawer is opened one has access to the contents of the tub. By contrast, applicants' invention seeks to prevent one from having access by way of a lock.

*Holloway et al.
Serial No.: 10/537,340
Page 11 of 13*

Also claim 50 has been amended to recite that the containing means is reversible, it may be inserted into the storage means by either the front or the back of the container means. This is important to the present invention because it allows the operator to immediately determine whether or not the containing means (box) is in use. By contrast, Teufel et al's drawers are not reversible being attached on extension rails and having only one face plate. Accordingly, the rejection should be withdrawn.

Claims 51, 67-71, 74 and 75 have been rejected under 35 USC 102(e) as being anticipated by Mercier. The examiner contends that the taught box (3a) and a moving portion (6) corresponds to the claimed box and slide with the corresponding slots and runners matching those claimed in spite of superficial appearances. The examiner also contends that the claimed "locking arms" are met by the bolt (71). This rejection is respectfully traversed.

Apparently there is some confusion. The "locking arms" in the present invention are shown in figures 4, 5 and 6 as (88). These are inside the box and contact the key so as to allow the slide to either run smoothly (unlocked) or jam without the key (lock). Regardless of whether the slide is locked or not, the "locking arms" are always completely inside the box. By contrast, in Mercier the bolt (71) is outside the box when unlocked and protrude to catch the box when locked. See figure 4a-c. At no point is the bolt (71) ever inside the box as shown by his figures. While not taught, one might imagine a longer bolt which could be partially inside the box but in order for the bolt to perform its function, it must be at least partially outside the box to engage the lock 7 (also outside the box) to function.

The location of the locking mechanism also differs significantly. In the present invention the locking mechanisms are inside the box interacting with parts of the key, parts of the slide and parts of the inside of the box. By contrast, in Mercier, the locking mechanism (7) is attached to a beam (2) outside to their box and engages with the shell of the box.

Claim 51 recites that the box has an opening for a slide and a key. Mercier does not

Holloway et al
Serial No.: 10/537,340
Page 12 of 13

use keys and certainly does not have an opening for one. Claim 51 also recites that the locking arms are completely inside the box. This is the opposite from any remotely similar structure in Mercier. Claim 51 also recites each arm contacting a key. Mercier lacks any key and thus any possibility of contact.

Claims 70 and 71 should not have been included in this rejection regardless of any of the issues mentioned above. Claims 70 and 71 recite different locking arms having different configurations so that different locks are formed that are operated by different keys. Mercier's locking arms are simple cylindrical bolts and do not differ from each other. Therefore, they cannot meet or suggest the claimed invention of claims 70 or 71.

The examiner has contended that "the entry opening is a pair of parallel webs to support a key inside the box" as recited in claim 74 is met by the support member (11) and the control system (10) of Mercier. However, there is no pair of parallel webs, which requires plural items. Only one cross member is disclosed in Mercier. Further, the claimed pair of parallel webs are "inside the box" while Mercier shows the support member is clearly outside the box. Still further, the claimed structures "support a key inside the box". Mercier's electronic code may perform the function of a key but an electronic code would not be supported by a physical structure. Accordingly, the rejection should be withdrawn.

Claims 40-44 have been rejected under 35 USC 103(a) as being unpatentable over Teufel et al in view of Westwinkel. Teufel et al is applied as above. Westwinkel is cited to show a storage apparatus having a containing means and a storage means removeably secured by a pair of push rods. From this, the examiner concludes it would have been obvious to include these structures from Westwinkel into the Teufel et al apparatus. This rejection is respectfully traversed.

Even combined, Westwinkel does not compensate for the basic deficiencies of Teufel et al, some of which are mentioned in response to the rejection under 35 USC 102 above. For those reasons alone, this rejection should be withdrawn. Additionally, claim 41 recites that the top and bottom parts enclose the sliding means. The structures referred to by

JUN 03 2008

Holloway et al
Serial No.: 10/537,340
Page 13 of 13

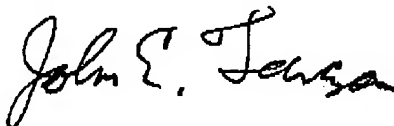
the examiner on page 5 as the top (31) and bottom parts (32 and 33) form an "L" shape and do not enclose anything. Still further, claim 44 recites "the pair of coincide slots are formed by aligning the pair of top slots with the pair of bottom slots". In Teufel et al, "coincide slots" are not formed because what the examiner refers to as "top slots" and "bottom slots" do not align together to form a single slot, namely a "coincide slot". Accordingly, this rejection should be withdrawn.

In view of the above amendments, and/or comments, the claims are now in conditions for allowance and applicants request a timely Notice of Allowance be issued in this application. Accordingly, the rejection should be withdrawn.

Should any additional issues remain, the examiner is encouraged to contact the undersigned for prompt resolution of the matter.

If necessary, applicants petition for an extension of time sufficient for consideration of this response. The commissioner hereby is authorized to charge payment of any fees under 37 CFR § 1.17, which may become due in connection with the instant application or credit any overpayment to Deposit Account No. 500933.

Respectfully submitted,



Date: June 3, 2008

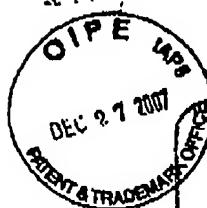
John E. Tarcza

Reg. No. 33,638

Enclosures: Copy of a Change in Correspondence Address

John E. Tarcza
Patent Agent
5200 Crest Court
Jefferson, MD 21755
301-371-7740 Tel.
301-371-7745 Fax.

JUN 03 2008



PTO/SB/31 (01-06)

Approved for use through 12/31/2008. OMB 0651-0036
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10537,340
	Filing Date	December 5, 2004
	First Named Inventor	Christopher John Molowsky
	Title	Cards Safe
	An Unit	3976
	Examiner Name	Soswell
	Attorney Docket Number	

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint.

☐ Practitioner(s) associated with the Customer Number.

OR

☒ Practitioner(s) named below.

Name	Registration Number
John Tarcza	33,638
Glenna Mondrich	32,535

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number.

OR

☐ The address associated with Customer Number.

OR

<input checked="" type="checkbox"/> Firm or Individual Name	John Tarcza		
Address	5205 Great Ct.		
City	Jefferson	State	MD
Country	USA	Zip	21756
Telephone	301 271 7740	Email	

I am the:

☐ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/98)

SIGNATURE of Applicant or Assignee of Record

Signature		Date	2/18/2007
Name	JOHN TARCZA	Telephone	+441420426444
Title and Company	COMPANY SECRETARY - CARDSAFE LIMITED		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or maintain a patent by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.